

MAR 12 2012

JULIA C. [Signature], CLERK  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

WILLIAM ANTOINE JASPER,	)	CASE NO. 7:11CCV00210
	)	
Petitioner,	)	
	)	FINAL ORDER
vs.	)	
	)	
DANIEL A. BRAXTON, WARDEN,	)	By: Glen E. Conrad
	)	Chief United States District Judge
Respondent.	)	

In accordance with the accompanying memorandum opinion, it is hereby

**ADJUDGED AND ORDERED**

that respondent's motion to dismiss (ECF No. 28) is **GRANTED**; the petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254, is **DISMISSED** for lack of jurisdiction, or in the alternative, as untimely filed; petitioner's motion to amend to substitute a different custodian (ECF No. 18) is **DISMISSED** as moot; and this action is stricken from the active docket of the court.

Further, finding that petitioner has failed to make a substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c)(1), a certificate of appealability is **DENIED**.

ENTER: This 12<sup>th</sup> day of March, 2012.

*Glen E. Conrad*

Chief United States District Judge